

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

CARLO M. CROCE,	:	
	:	
Plaintiff,	:	Case No. 2:17-cv-00338
	:	
v.	:	Judge James L. Graham
	:	
DAVID SANDERS,	:	Magistrate Judge Elizabeth A. Preston Deavers
	:	
Defendant.	:	

DECLARATION OF DR. CARLO M. CROCE

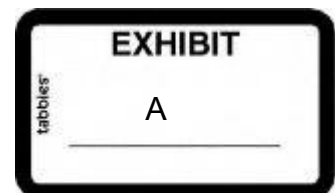
I, Carlo M. Croce, M.D., pursuant to 28 U.S.C. §1746, do hereby declare as follows based upon personal knowledge:

1. I am an adult citizen of Ohio, and resident of Upper Arlington, Ohio. I am the plaintiff in the above-captioned matter.

2. I am one of the world's most distinguished scientific researchers in the area of cancer genetics.

3. Since 2004, I have conducted my research at my research lab at The Ohio State University ("OSU"), where I am the John W. Wolfe Chair for Human Cancer Genetics, Distinguished University Professor, Director of the Human Cancer Genetics Program, Director of the Institute of Genetics, Professor of Internal Medicine, and Professor of the Department of Cancer Biology and Genetics.

4. Throughout my career, I have received many national and international awards for my research in cancer genetics. Some of those awards are described in the Second Amended Complaint filed in the above-captioned matter. I have been inducted in several prestigious Scientific Academies, including the National Academy of Sciences of USA, the American



Academy of Arts and Sciences and the National Academy of Medicine, these Academies include the most distinguished scientists and physicians in USA. I have also an H Index of 223, one of the highest in the world. The H Index is an objective measure to assess scientific impact of a scientist. I have been cited 231,350 times, and I am one of the most cited scientists in the world.

5. Over the course of my career, approximately 500 research papers have been published in scientific journals reporting scientific research (“Research Papers”), conducted in my research lab.

6. A research paper will typically list the names of several scientists as “authors” of the paper. Under convention, the lead or first author identifies the specific scientist who actually conducted the experiment being reported. This lead author also has primary responsibility for authoring (i.e., drafting) the article and reporting the results. At a lab like mine at OSU, most of the experiments are conducted by junior research scientists including graduate students and post-doctoral fellows, who are also primarily responsible for authoring the text of the paper and reporting the results.

7. The last author listed in a research paper is generally the head of the lab in which the research was conducted and the scientist who had the idea to do the experiment or research being reported. Additional scientists listed as “contributing authors” are typically listed between the first and last name.

8. Of the approximately 500 research papers originating from my lab, my name will usually appear last, though in rare cases first.

9. I have also been named as a contributing author of several research papers, approximately 600, where the research was not conducted in my lab. As a contributing author of

these papers, I did not personally conduct the research being reported or author the text of the paper reporting the findings.

10. In addition to the research papers described above, I have also written, either alone or with colleagues, approximately 165 additional papers published in scientific journals or books that review the work being done on a particular scientific issue (called "Review Papers").

11. Defendant David Sanders has made allegations that certain papers that I am listed as a co-author contain duplicated or manipulated figures and/or subfigures. Of the 27 papers identified by Dr. Sanders as containing errors, many were done in other people's laboratories; the few done in my laboratories were corrected in the journals. None of the corrected figures affected the results of the studies.

12. In my entire scientific life of 49 year with several hundred publications, I have withdrawn only one single paper: Trapasso F. et al in Journal of Biological Chemistry 283:13736-13744, 2008. The retraction is published in Journal of Biological Chemistry 292:14279, 2017. This withdrawal was due to errors discovered in several of the figures. The authors, including me, believed strongly in the original conclusions of the Journal of Biological Chemistry paper, and felt it was important to confirm the findings, retaining some of the original data plus additional experiments that show the biological importance of the Fhit-Fdxr interaction in the mitochondria. Thus we completed a study that confirmed the previous Journal of Biological Chemistry study and extended its findings. This study was published in Druck et al. Cell Death Disease 10:147, 2019. Thus, the results of the Journal Biological Chemistry paper of 2008 that was withdrawn because errors in figure, were fully confirmed. This history was mentioned in the Acknowledgments of the Cell Death and Disease Paper.

13. Defendant David Sanders has made allegations that certain of the papers that I am listed as a co-author contain plagiarized text. Although I have not written any of the papers that contain sentences present in papers of other authors, such sentences were corrected and appropriately cited in the journals with the agreement of the editors of the journals.

14. I have never personally engaged in data falsification, including figure or subfigure manipulation or duplication. I have never submitted a paper to any scientific journal knowing that it contained any falsified data (including any figure or sub-figure manipulation or duplication).

15. I have never personally engaged in plagiarism or personally authored any plagiarized text. I have never submitted a paper to any scientific journal knowing that it contained any plagiarized text.

16. There has never been a finding or determination that I have committed data falsification (including figure or subfigure manipulation or duplication), plagiarism, and/or research misconduct.

17. I have never used or attempted to use my general acclaim in the field of cancer genetics to influence any public debate or controversy or to influence the resolution of any such public debate or controversy.

18. I have never used or attempted to use my general acclaim in the field of cancer genetics to inject myself into any debate or controversy about research misconduct, plagiarism, or data falsification (including figure manipulation or duplication).

19. I have never authored a paper or had a paper published with my name listed as a co-author in which the topic of the paper concerned research misconduct, plagiarism, data falsification, and data manipulation or duplication.

20. My only involvement regarding issues concerning research misconduct, plagiarism, and/or data falsification (including figure manipulation or duplication) is as a result of the allegations of Defendant and other anonymous sources that are the subject of this lawsuit and the lawsuit that I brought against the New York Times.

I declare under penalty of perjury that the foregoing is true and correct and was executed on November 12, 2019.



Carlo M. Croce, M.D.